

Message Text

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PAGE 01 BERN 01295 251510Z

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SUBJ: JUDICIAL ASSISTANCE TREATY

REF: BERN 1144

1. EMBASSY HAS HAD FURTHER OPPORTUNITIES INQUIRE INTO FACTORS BEHIND POSTPONEMENT UNTIL JUNE SESSION BY COUNCIL OF STATES (UPPER HOUSE) OF ITS CONSIDERATION OF U.S.-SWITZERLAND JUDICIAL ASSISTANCE TREATY. (REFTEL)

2. FEDERAL COUNCILOR FURGLER, WHO HEADS DEPARTMENT OF JUSTICE AND POLICE AND THUS IS FEDERAL COUNCIL SPOKESMAN IN PARLIAMENT ON TREATY, CONFIRMED TO DCM MARCH 14 CROWDED PARLIAMENTARY CALENDAR DURING SPRING SESSION WAS PRIMARY REASON FOR POSTPONEMENT. HE ADDED, HOWEVER, THAT THERE WERE ALSO SOME QUESTIONS REQUIRING FURTHER CONSIDERATION BY PARLIAMENTARY COMMITTEE. FURGLER ASSURED EMBOFF THAT THERE WERE NO GREAT DIFFICULTIES INVOLVED AND HE ANTICIPATED THAT TREATY RATIFICATION AND IMPLEMENTING LEGISLATION SHOULD READILY PASS PARLIAMENT IN JUNE.

3. EMBASSY POLITICAL COUNSELOR WAS SUBSEQUENTLY TOLD BY CHAIRMAN OF NATIONAL COUNCIL (LOWER HOUSE) COMMITTEE THAT HAD CONSIDERED TREATY LAST FALL THAT EDITORIAL

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PAGE 02 BERN 01295 251510Z

COMMITTEE, WHICH REVIEWS TEXTS (INCLUDING TRANSLATIONS)

OF BILLS, BEFORE PARLIAMENT COMPLETES FINAL ACTION,
HAD SOME PROBLEMS WITH IMPLEMENTING LEGISLATION AND
FELT THAT FURTHER TIME TO CONSIDER MATTER WAS NEEDED.

4. BERN DAILY NEWSPAPER DER BUND AND WEEKLY OF SWISS
MILK PRODUCERS ASSOCIATION HAVE RECENTLY PUBLISHED
ARTICLES BY NATIONAL COUNCILOR FRITZ HOFMAN SUGGESTING
THAT PARLIAMENT SHOULD NOT COMPLETE ACTION ON TREATY
WHILE OTHER PENDING U.S.-SWISS MATTERS, PARTICULARLY
CHEESE COUNTERVAILING INVESTIGATION, WERE PENDING.
IN CONVERSATION WITH AMBASSADOR JACOBI MARCH 21 E/C
COUNSELOR NOTED THESE ARTICLES AND SAID WE ASSUMED
FEDERAL COUNCIL POSITION AGAINST SUCH LINKAGES STILL
STOOD. (SEE FOR EXAMPLE BERN 4652, DECEMBER 12, 6.74
AND BERN 3619, SEPTEMBER 26, 1974) JACOBI CONFIRMED
THAT THIS WAS HIS UNDERSTANDING AND SAID THAT WHILE HE
WAS NOT DIRECTLY INVOLVED IT WAS CLEARLY HIS IMPRESSION
THAT "TECHNICAL" CONSIDERATIONS WERE THE REASON FOR
THE UPPER HOUSE POSTPONEMENT TO JUNE.

5. EMBASSY COMMENT. ASSUMING RESOLUTION OF IMPLEMENTING
LEGISLATION PROBLEM AND FAVORABLE COMPLETION OF SWISS RATI-
FICATION PROCESS IN JUNE, TREATY CAN STILL ENTER INTO
FORCE IN EARLY 1976 IF US SENATE CAN SIMILARLY RATIFY
TREATY AT EARLY DATE.
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